

**COPY****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Michael F. CULBERT

Attorney Docket No.:

APL1P211/2656US1

Application No.: 09/816,290

Filed: March 21, 2001

Title: TRACK FOR IMPROVED VIDEO  
COMPRESSION

Examiner: Czekaj, David J.

Group: 2621

Confirmation No.: 6108

**FAX RECEIVED****MAY 21 2010****OFFICE OF PETITIONS****CERTIFICATE OF EFS-WEB TRANSMISSION**

I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on May 20, 2010.

Signed: /Lydie Fitzsimmons/  
Lydie Fitzsimmons

**PETITION FOR WITHDRAWAL FROM ISSUE BY APPLICANT  
37 CFR 1.313(c)**

Mail Stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION**

1. Applicant hereby petitions for the withdrawal of this application from issue.

**NOTICE OF ALLOWANCE and ISSUE FEE**

2. The Notice of Allowance was mailed on March 11, 2010 and the issue fee for this case was mailed on May 11, 2010.

**REASONS FOR WITHDRAWAL REQUEST**

3. The reason for withdrawal from issue of this application is

☐ unpatentability of one or more claims. One or more claims in this application are unquestionably unpatentable. Enclosed is an amendment to such claims, and an explanation as to how the amendment causes such claims to be patentable. §1.313(c)(1).

☒ for consideration of a request for continued examination (RCE) under §1.114 (for consideration of an information disclosure statement, for example). §1.313(c)(2). The RCE is enclosed along with this petition.

☐ to permit express abandonment of the application. §1.313(c)(3). Applicant requests that this application be expressly abandoned. A continuing application is enclosed along with this petition.

**GOOD AND SUFFICIENT REASONS**

4. Specifically, the reasons why this application must be withdrawn from issue are to cite new prior art originally cited in a corresponding foreign application. §1.313(a). MPEP 1308.

**PETITION FEES**

5. The petition fee is paid as follows:

☐

Enclosed is a check in the sum of \$130.00

☒

Charge Account No. 50-4481 the sum of \$130.00 (Order No.: APL1P211).

Respectfully submitted,  
BEYER LAW GROUP LLP

/Marc S. Hanish/  
Marc S. Hanish  
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**COPY****Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	7655375
<b>Application Number:</b>	09816290
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	6108
<b>Title of Invention:</b>	<p style="text-align: right;"><b>FAX RECEIVED</b> <b>MAY 21 2010</b> <b>OFFICE OF PETITIONS</b></p> <p>TRACK FOR IMPROVED VIDEO COMPRESSION</p>
<b>First Named Inventor/Applicant Name:</b>	Michael F. Culbert
<b>Customer Number:</b>	62464
<b>Filer:</b>	Marc S. Hanish/Lydie Fitzsimmons
<b>Filer Authorized By:</b>	Marc S. Hanish
<b>Attorney Docket Number:</b>	APL1P211/P2656
<b>Receipt Date:</b>	20-MAY-2010
<b>Filing Date:</b>	21-MAR-2001
<b>Time Stamp:</b>	17:46:45
<b>Application Type:</b>	Utility under 35 USC 111(a)

**Payment Information:**

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$940
RAM confirmation Number	4281
Deposit Account	504481
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:  
 Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition to Withdraw from Issue	APL1P211_Petition_for_Withdrawal_from_Issue.pdf	25697 00801a759a65f52740c9e7c827673508818c9f	no	2
Warnings:					
Information:					
2	Request for Continued Examination (RCE)	APL1P211_RCE_Transmittal.pdf	768577 ec0d018c72672a769bde1d157a4b6d97a442ec	no	3
Warnings:					
Information:					
3	Transmittal Letter	APL1P211_IDS.pdf	24696 7e6a021007d1d3a20f3d295ef14bba1f194c92c	no	2
Warnings:					
Information:					
4	NPL Documents	JP_OA_dated_04_18_2010.pdf	362975 601f8b017c51c72c54515f62928c540d124972	no	9
Warnings:					
Information:					
5	Foreign Reference	JP09_0168148.pdf	4266653 d4f523ec14a617c1d00940b43cbdb47cc1cc071	no	69
Warnings:					
Information:					
6	Foreign Reference	JP_2000_253351.pdf	2483097 bcd1191d925881ba55aded57e9c5ca07b4c62d1d	no	42
Warnings:					
Information:					
7	Foreign Reference	JP_2000_13737.pdf	1261115 593f65db58f50c517b9c09add7a15c1ecf0c056	no	23
Warnings:					
Information:					
8	Information Disclosure Statement (IDS) Filed (58/08)	APL1P211_PTO_1449.pdf	25127 4d1a84c519188402bba041440c0b1ad4df83c73	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					

9	Fee Worksheet (PTO-875)	fee-Info.pdf <b>COPY</b>	32401 0dd3ee1c0729f573aa135f89f86d3d647bd *440	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>				9250338	
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>          If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>          If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>          If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					